(16)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr.M.P. 517/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	PETITIONER	J.D. Food Private Limited, A Company Registered and Incorporated under Indian Companies Act, through its Director, Manish Saluja, aged about 29 years, son of Late Shri Daljit Singh Saluja, C-7, Sirgitti Industrial Area, Bilaspur, Tahsil and District Bilaspur (CG).
		-Versus-
	RESPONDENT	Sunil Kumar Nathani, son of Shri Govind Nathani, aged about 40 years, Proprietor, Durga Traders, Subhash Chowk, Kharsiya, Raigarh, District Raigarh (CG).

(Petition under Section 482 of the Cr.P.C. 1973
for restoration of Criminal Revision)

Single Bench : Hon'ble Shri Justice Dhirendra Mishra

12-12-2007

Heard Shri Kishore Bhaduri & Shri Ambuj Agrawal, counsel for the petitioner.

By this petition under Section 482 of the Code of the Criminal Procedure (*for short "the Cr.P.C."*), the petitioner has prayed for restoration of criminal revision, which was dismissed for non-compliance of the order dated 3-9-2007.

Learned counsel for the petitioner submits that vide application dated 10-8-2007 the petitioner had complied with the default and had filed the statement of the complainant in the form of affidavit. However, the matter was listed on 3-9-2007 again on the same default and the petitioner was granted time to remove the default within seven days. Since the petitioner has already removed the default way back on 10-8-2007, there was no question of removing the default again.

XI-HC—78

(17)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
G.	Having heard learned counsel for the petitioner, I have perused the original record. The Additional Registrar (Judicial) note dated 10-8-2007 mentions that Shri Sanjeev Sahu, counsel for the petitioner, appears and submits that he has filed copy of the complaint and copy of statement under Sections 200 & 202 of the Cr.P.C. Office was directed to trace out and proceed further. However, on 13-8-2007 it was reported by the Section Officer that copy of the statement under Sections 200 & 202 of the Cr.P.C. was not filed and the matter was again listed before the Additional Registrar (Judicial) on 17-8-2007 for orders on default. On that day, Shri Sanjeev Sahu appeared and prayed for one week's time to file copy of the statement under Sections 200 & 202 of the Cr.P.C. Accordingly, time was granted and it was directed that in case of failure the matter be listed before the Court for orders on default. Accordingly, the matter was listed before this Court on 3-9-2007 for orders on default. On the said date, none appeared for the applicant. Since the matter was listed for orders on default as pointed out by the office vide its note dated 13-8-2007, the applicant was directed to remove the default within a period of one week, failing which the revision was to be dismissed without reference to the Bench. Accordingly, the matter was dismissed on 24-9-2007 for non-compliance of the preemptory order dated 3-9-2007. In view of sequence of the proceedings detailed above, the reasons assigned by the petitioner for restoring the criminal revision do not appear to be *bona fide* and sufficient. In the result, the petition is liable to be dismissed and it is accordingly dismissed. Consequently, I.A.No.1/2007 stands disposed of. Sd/- Dhirendra Mishra Judge	